

CONGRESSIONAL RECORD SUMMARY

Tuesday, October 2, 2001

SENATE

Measures Introduced:

S. 1481. A bill to extend the moratorium enacted by the Internet Tax Freedom Act for 2 years, and encourage States to simplify their sales and use taxes; to the Committee on Commerce, Science, and Transportation.

Wyden

Pages S 10058, S 10059

S. 1482. *A bill to consolidate and revise the authority of the Secretary of Agriculture relating to protection of animal health; to the Committee on Agriculture, Nutrition, and Forestry.*

Harkin

Pages S 10058, S 10059-64

See Page S 10062: SEC. 8. INSPECTIONS, SEIZURES, AND WARRANTS.

(2) Application and issuance of warrants.--

*(A) In general.--On proper oath or affirmation showing probable cause to believe that there is on certain premises any animal, article, facility, or means of conveyance regulated under this Act, a **United States judge**, a judge of a court of record in the United States, or a **United States magistrate judge** may issue a warrant for the entry on premises within the jurisdiction of the **judge or magistrate** to make any inspection or seizure under this Act.*

(B) Execution.--The warrant may be applied for and executed by the Secretary or any United States marshal.

S. 1483. *A bill to amend Family Violence Prevention and Services Act to reduce the impact of domestic violence, sexual assault, and stalking on the lives of youth and children and provide appropriate services for children and youth experiencing or exposed to domestic violence, sexual assault, or stalking; to the Committee on Health, Education, Labor, and Pensions.*

"... The bill would support multi-system interventions for children who witness domestic violence by providing nonprofit agencies with funding to bring various service providers together to design and implement intervention programs for children who witness domestic violence. These working partnerships would take advantage of local resources such as counselors, courts, schools, health care providers and battered women's programs to best address the needs of children in violent homes. The bill would also create opportunities for domestic violence community agencies and elementary and secondary schools to work together to address the needs of children who witness and experience domestic violence..."

Wellstone

Pages S 10058, S 10064-5

S. 1484. A bill to prevent fraud in the solicitation of charitable contributions, and for other purposes; to the Committee on the Judiciary.

McConnell

Pages S 10058, S 10065-6

S. Res. 165. A resolution establishing a Select Committee on Homeland Security and Terrorism; to the Committee on Rules and Administration.

Roberts

Pages S 10058, S 10066-7

Measures Passed:

National Defense Authorization: By a unanimous vote of 99 yeas (Vote No. 290), *Senate passed S. 1438*, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, for military constructions, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, after taking action on the following amendments proposed thereto:

Pages S 10027-55, D 960

Adopted:

Reid Amendment No. 1760, to strike the condition precedent for the effectiveness of the dual compensation authority provided in section 651.

Pages S 10033-9, D 960

Levin (for Thomas/Gramm) Amendment No. 1834, to strike the exemptions provisions in section 821 of the bill, which *revises requirements relating to the purchase of Federal Prison Industries products* by the Department of Defense.

Pages S 10039-41, D 960

During consideration of this bill today, the Senate also took the following action:

By a unanimous vote of 100 yeas (Vote No. 289), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to close further debate on the bill.

Pages S 10031, D 960

Senate sustained a point of order against **Helms Amendment No. 1724**, to protect United States military personnel and other elected and appointed officials of the United States Government against criminal prosecution by an international criminal court to which the United States is not party, that the amendment was ruled as not germane, and the amendment thus fell.

Pages S 10041-4, D 960

Department of Energy Defense Activities Authorization: Senate passed S. 1417, to authorize appropriations for fiscal year 2002 for defense activities of the Department of Energy, after striking all after the enacting clause and inserting in lieu thereof Division C of **S. 1438**, Department of Defense Authorizations, *as amended*.

Pages S 10055, D 960

Military Construction Authorization: Senate passed S. 1418, to authorize appropriations for fiscal year 2002 for military construction, after striking all after the enacting clause and inserting in lieu thereof Division B of **S. 1438**, Department of Defense Authorizations, *as amended*.

Pages S 10055, D 960

Department of Defense Authorization: Senate passed S. 1419, to authorize appropriations for fiscal year 2002 for military activities of the Department of Defense, to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof Division A of **S. 1438**, Department of Defense Authorizations, *as amended*.

Pages S 10055-6, D 960

A unanimous-consent agreement was reached providing that with respect to **S. 1438**, **S. 1417**, **S. 1418**, and **S. 1419**, (all listed above as passed by the Senate), that if the Senate receives a message from the House of Representatives with regard to any of these bills, that the Senate be deemed to have disagreed to the amendment(s) to the Senate-passed bill, that the Senate request or agree to a conference with the House thereon, and that the Chair be authorized to appoint conferees on the part of the Senate.

Pages S 10054-5, D 961-2

Nomination Confirmed:

Senate confirmed the following nomination:

Thomas B. Wells, of Maryland, to be a *Judge of the United States Tax Court* for a term expiring fifteen years after he takes office. (Prior to this action, Committee on Finance was discharged from further consideration.)

Pages S 10103-4, D 961

Nominations Received:

Senate received the following nominations:

David E. O'Meilia, of Oklahoma, to be *United States Attorney for the Northern District of Oklahoma* for the term of four years.

David R. Dugas, of Louisiana, to be *United States Attorney for the Middle District of Louisiana* for the term of four years.

Pages S 10304 , D 961

Committee Meetings:

Committee on the Budget: Committee concluded hearings to examine the U.S. economic situation prior to and after the recent terrorist attacks, focusing on the need for security and confidence, finding the right economic response to the crisis, and minimization of collateral damage to the United States and the global economy.

Page D 961

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine concluded hearings to examine passenger and cargo security issues in the railroad and maritime industries.

Pages D 961-2

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings on the nomination of *Eugene Scalia*, of Virginia, to be *Solicitor of the Department of Labor*, after the nominee testified and answered questions in his own behalf.

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Committee Meetings For Wednesday, October 3, 2001:

Committee on Appropriations: @ 9:30 p.m. *Subcommittee on Treasury and General Government, to hold hearings to examine northern border security status. SD-192.*

Committee on Appropriations: @ 10:30 a.m. Subcommittee on Labor, Health and Human Services, and Education, to hold hearings to examine bioterrorism issues. SH-216.

Committee on the Judiciary: @ 9:30 a.m. Subcommittee on Constitution, Federalism, and Property Rights, to hold hearings *to examine how to protect Constitutional freedoms in the face of terrorism.* SD-226.

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HOUSE

Bills Introduced:

H.R. 2975. *A bill to combat terrorism, and for other purposes;* to the Committee on the Judiciary, and in

addition to the Committees on Intelligence (Permanent Select), International Relations, Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Sensenbrenner

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H.R. 2978. *A bill to strengthen existing Federal laws and provide law enforcement agencies with enhanced enforcement tools necessary to combat money laundering, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on the Judiciary, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Roukema

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H.R. 2979. *A bill to enhance the ability of law enforcement to combat money laundering, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Financial Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Roukema

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H.R. 2984. A bill to amend the Immigration and Nationality Act to ensure that aliens provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of that Act are counted, for purposes of determining whether the numerical limitation on the provision of such status has been reached, in a manner that is accurate, fair, and takes into account only those aliens who actually commence employment as such a nonimmigrant; to the Committee on the Judiciary.

Andrews

Page H 6135

H.R. 2985. A bill to amend the Federal Trade Commission Act *to increase civil penalties for violations* involving certain proscribed acts or practices that exploit popular reaction to an emergency or major disaster declared by the President, and to authorize the Federal Trade Commission to seek civil penalties for such violations in actions brought under section 13 of that Act; to the Committee on Energy and Commerce.

Bass

Pages H 6135-6

H.R. 2986. A bill to *amend title 18, United States Code*, to provide additional punishments for offenders committing fraud aimed at taking advantage of a national emergency, and for other purposes; to the Committee on the Judiciary.

Bass

Page H 6136

H.R. 2993. A bill to amend the Consumer Product Safety Act and the Federal Hazardous Substances Act *regarding repair, replacement, or refund actions, civil penalties, and criminal penalties under those Acts*; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Markey

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Bills Introduced (Cont'd.):

H.R. 2994. A bill to make technical and conforming changes to provide for the enactment of the Independence of the Chief Financial Officer Establishment Act of 2001; to the Committee on Government Reform.

Morella

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H.R. 2995. A bill to make technical and conforming changes to provide for the enactment of the Independence of the Chief Financial Officer Establishment Act of 2001, to establish a reporting event notification system to assist Congress and the District of Columbia in maintaining the financial stability of the District government and avoiding the initiation of a control period, to provide the District of Columbia with autonomy over its budgets, and for other purposes; to the Committee on Government Reform.

Morella

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H.R. 2996. *A bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.*

Ose

Page H 6136

H.R. 3002. A bill to provide for the establishment of an alien nonimmigrant student tracking system; to the Committee on the Judiciary.

Sweeney

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H. Res. 249. A resolution designating majority membership on certain standing committees of the House; considered and agreed to.

Portman

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Suspension:

The House agreed to suspend the rules and pass the following measure:

Federal Employee Antidiscrimination and Retaliation: H.R. 169, amended, to require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws (agreed to by a yea-and-nay vote of 420 yeas with none voting "nay," Roll No. 360);

Pages H 6071-6, H 6100, D 962-3

H.R. 2904. Military Construction--Go to Conference:

The House disagreed with the Senate amendment to H.R. 2904, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2002, and agreed to a conference. Appointed as conferees: Chairman Young of Florida and Representatives Hobson, Walsh, Miller of Florida, Aderholt, Granger, Goode, Skeen, Vitter, Obey, Olver, Edwards, Farr, Boyd, and Dicks.

Pages H 6099, D 963

Agreed to the Olver motion to instruct conferees to insist on the House position regarding all items included in the House passed bill for overseas military construction by a yea-and-nay vote of 417 yeas to 1 nay, Roll No. 362.

Pages H 6099, H 6101-2, D 963

Committee Election:

The House agreed to H. Res. 249, electing the following members to the Committee on the Judiciary: Representative Bryant, to rank after Representative Goodlatte, and Representative Pence.

Pages H 6102, D 963

Committee Meetings For Wednesday, October 3, 2001:

Committee on Education and the Workforce, @ 10:30 a.m. To mark up H.R. 2269, Retirement

Security Advice Act of 2001. 2175 Rayburn.

Committee on Energy and Commerce, @ 10:00 a.m. To mark up the following: a measure to ***amend the Antiterrorism and Effective Death Penalty Act of 1996*** with respect to the responsibilities of the Secretary of Health and Human Services regarding biological agents and toxins, and to ***amend title 18, United States Code***, with respect to such agents and toxins; a measure to strengthen security at certain nuclear facilities; and a measure to clarify the application of cable television system privacy requirements to new cable services. 2123 Rayburn.

Committee on Energy and Commerce, @ 1:00 p.m. Subcommittee on Commerce, Trade, and Consumer Protection, to mark up the *American Spirit Fraud Prevention Act*. 2123 Rayburn.

Committee on Financial Services, @ 10:00 a.m. Hearing entitled “*Dismantling the Financial Infrastructure of Global Terrorism.*” 2128 Rayburn.

Committee on Government Reform, @ 10:00 a.m. Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing on “Drug Trade and the Terror Network.” 2154 Rayburn.
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Committee on International Relations, @ 10:15 a.m. Hearing on Al Qaeda and the Global Research of Terrorism. 2172 Rayburn.

Committee on the Judiciary, @ 2:00 p.m. To mark up the following measures: **H.R. 2975**, Provide Appropriate Tools Required to Intercept and Obstruct Terrorism (PATRIOT) Act of 2001; **H.R. 2336**, ***to make permanent the authority to redact financial disclosure statements of judicial employees and judicial officers; and H.R. 2559, to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance.*** 2141 Rayburn.

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Remarks:

Air Transportation Safety And System Stabilization Act.

Waxman

Pages E 1764-5

Consumer Product Risk Reporting Act Of 2001. (H.R. 2993)

“...I rise today to introduce the “Consumer Product Risk Reporting Act of 2001,” a bill intended to improve consumer safety by achieving increased compliance with existing requirements to report hazards. The legislation would increase the civil and criminal penalties that the CPSC can seek from firms that do not inform the Commission when they have a product that could pose a substantial hazard to consumers. The legislation would also help make some product recalls more effective...”

Markey

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Next SENATE MEETING: Wednesday, 10:00 a.m., October 3, 2001.

Next HOUSE MEETING: Wednesday, 10:00 a.m., October 3, 2001.

OLA: S. Schwarz (Smith)